

CRIMINAL COMPLAINT

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APR - 3 2009

CLERK U.S. DISTRICT COURT
DISTRICT OF ARIZONA

MAGISTRATE'S CASE NO. DEPUTY

09-01653M

United States District Court

DISTRICT of ARIZONA

United States of America

DOCKET NO.

v.
Carlos GUADARRAMADOB: xx/xx/ 1973; Citizen of Mexico;
A# 095 780 288**Complaint for violation of Title 18****United States Code § 1028A and 1028(a)(4)****COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:**

COUNT 1: From a time unknown to on or about April 02, 2009, at or near Nogales, in the District of Arizona, **Carlos GUADARRAMA**, did knowingly transfer, possess and use without lawful authority, a means of identification of another person, to wit: a Border Crossing Card Form DSP-150 in the name of Gerardo ABITIA-Garcia, during and in relation to the commission of felonious unlawful activity that constitutes a violation of Title 18, United States Code, Section 1546, Fraud and Misuse of Visas and Other Documents, all in violation of Title 18, United States Code, Section 1028A.

COUNT 2: From a time unknown to on or about April 02, 2009, at or near Nogales, in the District of Arizona, the defendant, **Carlos GUADARRAMA**, did knowingly possess an identification document, that is a Border Crossing Card Form DSP-150 in the name of Gerardo ABITIA-Garcia, which was one that was not lawfully issued to the defendant for the defendant's own personal use, with the intent that such document be used to defraud the United States, that is to gain unlawful entry into the United States, in violation of Title 18, United States Code, Section 1028(a)(4) and 1028(b)(6).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On or about April 02, 2009, at or near Nogales, in the District of Arizona, the defendant, **Carlos GUADARRAMA**, presented a Border Crossing Card Form DSP-150 to United States Customs and Border Protection Officers at the port of entry as proof that he had legal authority to enter into the United States. The Border Crossing Card Form DSP-150 was not lawfully issued to the defendant for the defendant's own personal use, but was issued to another real person, which the defendant knew. Defendant presented the identification card with intent that such document be used to gain unlawful entry into the United States from Mexico, which would defraud the United States. **Carlos GUADARRAMA** is a citizen of Mexico with no legal authority to enter into the United States.

MATERIAL WITNESSES IN RELATION TO THE CHARGE:**DETENTION REQUESTED**

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.

Authorized by AEM

SIGNATURE OF COMPLAINANT

Official Title

US Customs Enforcement Officer (CBPOE)

Sworn to before me and subscribed in my presence.**SIGNATURE OF MAGISTRATE JUDGE****DATE**

April 03, 2009